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Hearing Date: September 14,  
2022  
Opposition Date: June 27, 2022  
Reply Date: July 27, 2022

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION	)	
CORPORATION,	)	<b>Adv. Pro. No. 08-01789 (CGM)</b>
Plaintiff-Applicant,	)	
v.	)	<b>SIPA Liquidation</b>
BERNARD L. MADOFF INVESTMENT	)	<b>(Substantively Consolidated)</b>
SECURITIES, LLC,	)	
Defendant.	)	
In re:	)	
BERNARD L. MADOFF,	)	
Debtor.	)	
IRVING H. PICARD, Trustee for the Liquidation of	)	
Bernard L. Madoff Investment Securities LLC,	)	
Plaintiff,	)	<b>Adv. Pro. No. 12-01669 (CGM)</b>
v.	)	
Barfield Nominees Ltd. and Northern Trust	)	<b>ORAL ARGUMENT</b>
Corporation,	)	<b>REQUESTED</b>
Defendants.	)	

**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that, upon Defendants Barfield Nominees Ltd. (“Barfield”) and Northern Trust Corporation’s (“Northern Trust” and together with Barfield, the “Defendants”) Memorandum of Law in Support of Defendants’ Motion to Dismiss the Trustee’s Complaint, the accompanying Declaration of Anthony L. Paccione in Support of Defendants’ Motion to Dismiss the Trustee’s Complaint, dated April 28, 2022, and the exhibits thereto, the Complaint, dated May

25, 2012 (the “Complaint”) in the above-captioned adversary proceeding, and all prior pleadings and proceedings herein, Defendants move for an order dismissing the Complaint filed by plaintiff Irving H. Picard, Trustee (the “Trustee”) for the Liquidation of Bernard L. Madoff Investment Securities LLC, pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), 10(c), and 8(a) as made applicable by Rule 7012 of the Federal Rules of Bankruptcy Procedure, and for such other relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Stipulation and Order in this proceeding entered March 8, 2022, the Trustee shall respond to this motion by June 27, 2022. If the Trustee responds to the motion, Defendants shall file their reply by July 27, 2022.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendants do not consent to the entry of final orders or judgment by this Court.

Dated: April 28, 2022  
New York, New York

/s/ Anthony Paccione

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